



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

Brunswick Planning Commission Minutes August 27, 2007

Commission Members Present: Chair Ed Gladstone, Vice Chair Connie Koenig, Secretary Walt Stull - Council Liaison, Wayne Dougherty, Don Krigbaum, and Ellis Burruss, Alternate.

Staff Present: Planning & Zoning Administrator Rick Stup and City Development Review Planner Jeff Love.

Chair Gladstone called the meeting to order at 7:00 PM.

Mr. Gladstone requested all those in attendance who were going to speak to rise and be sworn in.

Minutes

The minutes of the July 23, 2007 meeting were reviewed and approved as amended. (MOTION by Ms. Koenig and seconded by Mr. Krigbaum unanimously passed.)

Chair

Mr. Gladstone stated that the night's events were being televised and recorded.

Mr. Stup reviewed the Agenda Package and the distribution to the Dias, and reminded the Commission that there was a meeting on Wednesday, August 29 at 7:00 PM.

Mr. Dougherty entered the meeting.

Old Business

Text Amendment – Zoning Ordinance

Review of Planning Commission initiated amendments (Ordinance 458) to the Zoning Ordinance, Appendix A-1 for a recommendation to the Mayor and Council. BR-ZO-07-05-TA; (Ordinance 459) to the Zoning Ordinance, Table of Contents for a recommendation to the Mayor and Council. BR-ZO-07-06-TA; (Ordinance 460) to the Zoning Ordinance, Article 4, Definitions for a recommendation to the Mayor and Council. BR-ZO-07-07-TA; (Ordinance 461) to the Zoning Ordinance, Article 5, Sections 5.12.B.8 & 5.12.C.3 for a recommendation to the Mayor and Council.

BR-ZO-07-08-TA; (Ordinance 462) to the Zoning Ordinance, Article 6, Section 6.5 for a recommendation to the Mayor and Council. BR-ZO-07-09-TA; (Ordinance 463) to the Zoning Ordinance, Article 23, Section 23.2.A for a recommendation to the Mayor and Council. BR-ZO-07-10-TA; (Ordinance 464) to the Zoning Ordinance, Article 24, 25 & 26 for a recommendation to the Mayor and Council. BR-ZO-07-11-TA; (Ordinance 465) to the Subdivision Regulations, Article 1, Section 1.5.B for a recommendation to the Mayor and Council. BR-S-07-01-TA; (Ordinance 466) to the Subdivision Regulations, Article 5, Section 5.4 for a recommendation to the Mayor and Council. BR-S-07-02-TA; (Ordinance 467) to the Subdivision Regulations, Article 6, Section 6.4 for a recommendation to the Mayor and Council. BR-S-07-03-TA; and (Ordinance 468) to the Subdivision Regulations, Article 9, Section 9.1(a) for a recommendation to the Mayor and Council. BR-S-07-04-TA

Staff Presentation and Recommendation:

Mr. Stup presented a summary of the Staff Reports for the proposed revisions to the Zoning Ordinance and Subdivision Regulations to create a Landscape Manual, and stated that the Public Hearing was held on July 23, 2007 with no comments on the Landscape Manual Amendments. He stated that the proposed amendments associated with the Landscape Manual were continued until August in order for Staff to address agency comments and complete the Plant List.

Mr. Stup then reviewed comments from the Mayor stating that he had some reservations with regard to the Lot of Record Requirements for Landscaping and that he felt that the requirement was onerous and the implementation had limited public benefit for a small parcel.

Staff recommended approval of the Text Amendments (Ordinance 458- 468) to the Zoning Ordinance and Subdivision Regulations and corresponding BPc Resolutions 07-05 thru 07-15 in accordance with the Staff Report, and that an approval recommendation be forwarded to the Mayor & Council.

Mr. Stup answered Commission questions with regard to the proposed amendments and Staff Recommendation.

Ms. Koenig and Messrs. Burruss and Dougherty voiced some agreement with the comments from the Mayor. Mr. Stup added that to fulfill the Commission's concern, guidance could be given to Staff for administration of the Lot of Record (Single Lot) requirement. After lengthy discussion the Commission agreed to leave the text as drafted.

Applicant: None since the City is the applicant.

Public Comment:

None.

Rebuttal:

None.

Decision:

Mr. Krigbaum made a motion to approve the Text Amendments, Ordinances 458 – 468 and BPc Resolutions 07-05 thru 07-15 in accordance with Staff Recommendation; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

New Business:

Text Amendment – Zoning Ordinance

Review of Mayor & Council initiated amendment (Ordinance 470) to Repeal and Re-Adopt the Floodplain Ordinance for a recommendation to the Mayor and Council. BR-FP-07-01-TA

Staff Presentation and Recommendation:

Mr. Stup presented the Staff Report for the proposed repeal and re-adoption of the Floodplain Ordinance and new FEMA Flood Maps for compliance with the FEMA Requirements for the City to continue to qualify for the Flood Insurance Program. This was a Public Hearing to take testimony on the proposed Ordinance 470.

Staff recommended approval of the Floodplain Ordinance and specifically NFIP FIRM MAP NUMBER 24021C0385D, 24021C0395D, 24021C0405D, and 24021C0415D in accordance with the Staff Report, and the adoption of BPc Resolution 07-16, for recommendation of approval of proposed Ordinance 470.

Mr. Stup answered Commission questions.

Applicant: None since the City is the applicant.

Public Comment:

None.

Rebuttal:

None.

Decision:

Mr. Dougherty made a motion to approve Ordinance 470 and BPc Resolution 07-16 in accordance with Staff Recommendation; Mr. Stull seconded the motion.

VOTE: Yea 5 Nay 0

Zoning -- Site Plans

Kaplon Building Site Plan – Request for Site Plan Approval for proposed new uses in the existing building, located at the intersection of West Potomac Street and South Maryland Avenue. Zoning Classification: B-2; Water and Sewer Classification: W-1, S-1; BR-SP-03-01-SP-02

Staff Presentation and Recommendation:

Mr. Love presented the Staff Report for the Kaplon Building Site Plan.

Staff recommended Approval of the Site Plan in accordance with the Staff Report and the following specific conditions:

1. The basement and third floor uses need must be noted as “future uses” on the Site Plan and will be required to seek approval prior to occupying the building.
2. The bulk requirements for the B-2 District must be noted on the plan.
3. Staff recommends that the Planning Commission find that the combination of provided off-street and available on-street parking complies with the requirements of Article 22.
4. Revision the existing off-street parking configuration to Staff’s satisfaction.
5. Adequate parking for the future uses is to be reviewed upon Site Plan submission by Planning Commission.
6. A private sewer easement satisfactory to Public Works is required.
7. If any Lighting changes are to be made now or in the future, they must comply with Article 5.12 of the Zoning Ordinance and the Dark Sky Principle.
8. Staff approval of the proposed signage pending resubmission with a signage calculation.
9. Applicant submission of APFO compliance letter for Staff review and approval.
10. Address any outstanding agency comments.
11. Apply for all necessary County Permits.
12. Staff review and approval of any resubmissions.
13. Address any additional checksheet and Staff comments to Staff’s satisfaction.
14. Address appropriate Agency comments.
15. Applicant bound by their testimony.

Messrs. Love and Stup answered questions from the Commission.

Applicant:

Mr. Boe DeLashmutt, Brunswick Property Company LLC, presented the applicant’s case with Mr. Don Devine stating that they concurred with the Staff Report.

Mr. Gladstone questioned the parking; Mr. Krigbaum questioned the condition of the structure; Mr. Burruss questioned the Private Sanitary Sewer Easement usage; and Ms. Koenig questioned landscaping in the City Street Right-of-Way. Mr. Stup clarified the issues in addition to the applicant response, and stated that private Easement and use of the Right-of-Way were Public Works issues, but Commission comments were suggested to be used as guidance by the applicant, who agreed.

Public Comment:

None

Rebuttal:

None

Decision:

Mr. Krigbaum made a motion to approve the Site Plan in accordance with the Staff Recommendation and Staff Report; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Subdivision – Outlot Plat

Fraternal Order Eagles, Aerie 1136, Outlot 1 - Request for Outlot Plat approval, located on the North side of Brunswick Street, West of Central Avenue. Zoning Classification: R- 1, Water and Sewer Classification: W-1 S-1; BR-S-07-01-OP

Staff Presentation and Recommendation:

Mr. Love presented the Staff Report for the Outlot Plat.

Staff recommends approval of the Brunswick Aerie 1136 Outlot Plat, Outlot 1 in accordance with the Staff Report and the following specific conditions:

1. Address Checksheet Items and Staff Comments to Staff's satisfaction.
2. A Combined Preliminary/Final Plat Process or the Preliminary Plan Process must be completed to create a building lot prior to or simultaneously with the Site Plan.
3. Address appropriate Agency Comments.
4. Applicant to provide a Fee Simple Deed for review and approval by the City, and pay all expenses associated with the Deed Review and Recording Process.
5. Applicant is bound by their testimony.

Messrs. Love and Stup answered questions from the Commission.

Applicant:

Mr. Dan Snyder, Brunswick Crossing, LLC, presented the applicant's case with Mr. Bernie Sofranko, President of Aerie 1136, available for questions. He stated that he concurred with the Staff Report, and answered Commission questions

Public Comment:

Mr. Leon Enfield questioned the location of an adjoining lot, which Mr. Stup clarified.

Rebuttal: None.

Decision:

Ms. Koenig made a motion to approve the Site Plan in accordance with the Staff Recommendation and Staff Report; Mr. Dougherty seconded the motion.

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VOTE: Yea 5 Nay 0

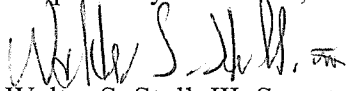
Public Comment:

Mr. Stup reminded the Commission that the next meeting was August 29, 2007 at 7:00 PM.

Adjournment

The meeting was adjourned at 8:40 PM.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Walter S. Stull, III", with a small flourish at the end.

Walter S. Stull, III, Secretary
Brunswick Planning Commission